

Notice of Allowability

Application No.

10/003,265

Examiner

Christopher J. Brown

Applicant(s)

WOLFF ET AL.

Art Unit

2134

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 6/7/06.
2. ☒ The allowed claim(s) is/are 1-3, 8, 9, 11-15, 20, 21, 23-27, 32, 33, 35-42, 44.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Jacques H. Louis
JACQUES H. LOUIS
PRIMARY EXAMINER

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Kevin Zilka on 6/16/06.

The application has been amended as follows:

Claim 1 (page 2)

In line 11 **remove** the word "selected"

In line 15 change "which-malware" to "which of the malware"

In line 18 change "wherein each device" to "wherein each of the devices"

In line 24 change "a plurality of file storage devices" to "a plurality of the file storage devices"

In line 25 change "each file storage device" to "each of the file storage devices"

Claim 13 (page 5)

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In line 5 **remove** the word “selected”

In line 8 change “which malware” to “which of the malware”

In line 12 change “wherein each device” to “wherein each of the devices”

Claim 25 (page 7)

In line 12 **remove** the word “selected”

In line 16 change “which malware” to “which of the malware”

In line 20 change “wherein each device” to “wherein each of the devices”

Allowable Subject Matter

Claims 1-3, 8, 9, 11-15, 20, 21, 23-27, 32, 33, 35-42, 44 are allowed.

The following is an examiner’s statement of reasons for allowance:

Tso US 6,088,803 teaches a proxy device for performing malware scanning of files from a file storage device, (Col 2 lines 26-45). Tso teaches a plurality of devices arranged to issue access requests to access files, (Col 2 lines 30-36). Tso teaches receiving a request for access, (Col 2 lines 63-65). Tso teaches accessing the file storage device, (Col 2 line 67- Col 3 line 3). Tso teaches scanning the accessed file for viruses, (Col 3 lines 2-10, Col 5 lines 15-26).

Tso does not teach identifiers. Tso does not teach “wherein, upon receipt of the access request from a client device, the processing logic is arranged to determine from the access request predetermined attributes, and to send those predetermined attributes to the file storage device to enable the file storage device to perform a validation check, the processing logic only allowing the access request to proceed if the file storage device confirms that the client device is allowed to access the file identified by the file access request”. Tso does not teach allowing direct access to file storage if the proxy fails.

Ceniza US 2002/0186698 teaches that the computer network is assigned identifiers, where the proxy device is assigned the same identifiers in order to route information correctly [0048], [0049] as Ceniza teaches that the proxy is assigned to multiple devices each with a separate identifier, as shown on Network B, (Actual LAN IP addresses, and Virtual LAN addresses) ([0042] Fig 4).

Ceniza does not teach “wherein, upon receipt of the access request from a client device, the processing logic is arranged to determine from the access request predetermined attributes, and to send those predetermined attributes to the file storage device to enable the file storage device to perform a validation check, the processing logic only allowing the access request to proceed if the file storage device confirms that the client device is allowed to access the file identified by the file access request”. Ceniza does not teach allowing direct access to file storage if the proxy fails. Ceniza does not teach malware scanning.

Bector US 6,687,732 teaches that if the proxy fails, network traffic is routed around the proxy thus allowing direct access, (Col 13 lines 55-67). Bector does not teach “wherein, upon receipt of the access request from a client device, the processing logic is arranged to determine from the access request predetermined attributes, and to send those predetermined attributes to the file storage device to enable the file storage device to perform a validation check, the processing logic only allowing the access request to proceed if the file storage device confirms that the client device is allowed to access the file identified by the file access request”. Bector does not teach assigning identifiers. Bector does not teach malware scanning.

Cuomo US 2002/0091757 teaches a proxy that forwards user attributes to the device the user is trying to access, but teaches that the proxy is the device that performs the authentication [00029], [0030]. Cuomo fails to teach access authentication at the storage device or “upon receipt of the access request from a client device, the processing logic is arranged to determine from the access request predetermined attributes, and to send those predetermined attributes to the file storage device to enable the file storage device to perform a validation check, the processing logic only allowing the access request to proceed if the file storage device confirms that the client device is allowed to access the file identified by the file access request”. Cuomo does not teach assigning identifiers. Cuomo does not teach malware scanning. Cuomo does not teach routing traffic if a proxy fails.

Garg US 2003/0065791 teaches forwarding authentication information from a client to a file storage device via a proxy, [0028] but fails to teach access authentication or “upon receipt of the access request from a client device, the processing logic is arranged to determine from the access request predetermined attributes, and to send those predetermined attributes to the file storage device to enable the file storage device to perform a validation check, the processing logic only allowing the access request to proceed if the file storage device confirms that the client device is allowed to access the file identified by the file access request”. Garg does not teach assigning identifiers. Garg does not teach malware scanning. Garg does not teach routing traffic if a proxy fails.

Anglin US 6,026,414 teaches forwarding authentication information from a client to a file storage device via a proxy, (Col 5 lines 5-20) but fails to teach providing access to the client or “upon receipt of the access request from a client device, the processing logic is arranged to determine from the access request predetermined attributes, and to send those predetermined attributes to the file storage device to enable the file storage device to perform a validation check, the processing logic only allowing the access request to proceed if the file storage device confirms that the client device is allowed to access the file identified by the file access request”. Anglin does not teach assigning identifiers. Anglin does not teach malware scanning. Anglin does not teach routing traffic if a proxy fails.

Thus all of the cited references alone or in combination fail to teach “upon receipt of the access request from a client device, the processing logic is arranged to determine from the access request predetermined attributes, and to send those predetermined attributes to the file storage device to enable the file storage device to perform a validation check, the processing logic only allowing the access request to proceed if the file storage device confirms that the client device is allowed to access the file identified by the file access request”.

Additionally, the applicant’s citation of US application **10/004120** in the IDS dated 6/07/06 contains a similar limitation in the independent claims and was allowed. Application 10/004120 differs from the present application as it is focused on load balancing.

Although the reasons for allowance in application 10004120 state that the application is allowable because authentication takes place in the gateway or proxy and would not be ordinarily performed in a file storage device, the present invention is allowed not because access authentication is done at the file storage device, but because the proxy is arranged to determine from the access request predetermined attributes, and to send those predetermined attributes to the file storage device to enable the file storage device to perform a validation check, **the processing logic only allowing the access request to**

proceed if the file storage device confirms that the client device is allowed to access the file identified by the file access request.

Thus the proxy does not send the file access request with access request attributes, but only forwards the access request attribute to the file storage device, and holds the actual access request until validation is received from the file storage device. This distinguishes the present invention over the current art of record.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher J. Brown whose telephone number is (571)272-3833. The examiner can normally be reached on 8:30-6:00.

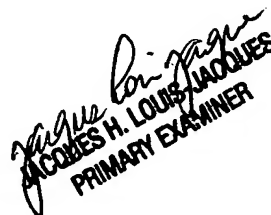
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jaques Louis Jaques can be reached on (571)272-6962. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Christopher J. Brown

6/16/06



JACQUES H. LOUIS-JACQUES
PRIMARY EXAMINER